



U.S. Department of Justice

Civil Division

Federal Programs Branch

Mailing Address

P.O. Box 883
Washington, D.C. 20044

Overnight Delivery Address

20 Massachusetts Ave., N.W.
Washington, D.C. 20530

James J. Schwartz
Senior Counsel

Tel: (202) 616-8267
Fax: (202) 616-8470
James.Schwartz@usdoj.gov

June 24, 2016

BY ECF

Honorable Roanne L. Mann
United States Chief Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Schwartz v. U.S. Department of Defense, et al.*,
Civ. No. 15-CV-7077 (Ross, J.) (Mann, M.J.) (E.D.N.Y.)

Dear Chief Magistrate Judge Mann:

Undersigned counsel represents defendants the United States Department of Defense (“DOD”), the United States Department of the Navy, the National Security Agency, the Federal Bureau of Investigation, the Central Intelligence Agency, and the Office of the Director of National Intelligence (collectively, “defendants”) in the above-referenced action brought pursuant to the Freedom of Information Act. Defendants’ Counsel respectfully requests that the time for the Central Intelligence Agency (“CIA”) to produce documents to Plaintiffs be extended from June 24, 2016 to June 29, 2016. This is defendant CIA’s first request for an extension of time to produce documents responsive to the FOIA request.

This Court had ordered Defendants to produce documents and provide search declarations to Plaintiffs by June 24, 2016 (Dkt. No. 13). Defendants will be largely compliant with this request. All search declarations are completed and will be provided to Plaintiffs on June 24, 2016. Further, only two of the defendant agencies located responsive documents, DOD and CIA. DOD is producing all its responsive documents today, June 24, 2016. CIA has located 3 documents it can produce responsive to Plaintiffs FOIA request. Unfortunately, some of the information in those documents must be redacted and the CIA will not be able to complete that redaction process today, June 24, 2016.

The Court has ordered that pre dispositive motion letters be filed by July 5, 2016. It is

hoped that since the large majority of the production is occurring on-time, and only a small number of documents will be produced on June 29, 2016, that the July 5, 2016 date will not be affected.

Accordingly, with plaintiff's consent, defendants respectfully request an extension of time to June 29, 2016 for CIA to produce its responsive documents to Plaintiff.¹

Thank you for Your Honor's consideration of this request.

Respectfully submitted,

BENJAMIN C. MIZER
Principal Deputy Assistant Attorney General

ROBERT L. CAPERS
United States Attorney

ELIZABETH J. SHAPIRO
Deputy Director

/s/James J. Schwartz

JAMES J. SCHWARTZ
Senior Counsel
U.S. Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Avenue NW
Washington, D.C. 20530
Telephone: (202) 616-8627
Email: James.Schwartz@usdoj.gov
Counsel for Defendants

cc: Jonathan Manes – Via ECF

¹ This letter request was not filed 48 hours in advance, because defendant CIA was still attempting timely produce documents to Plaintiff.